	Application No.	Applicant(s)
Notice of Allowability	10/603,977	CARBALLADA ET AL.
	Examiner	Art Unit
	Robyn Doan	3732
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>8/7/06</u> .		
2. The allowed claim(s) is/are <u>1-43, 45-47, 50-56 (renumbered as 1-53)</u> .		
 3. ☐ Acknowledgment is made of a claim for foreign priority unally all bloometers. a) ☐ All bloometers of the priority documents have 		
2. Certified copies of the priority documents have been received in Application No		
3. Copies of the certified copies of the priority documents have been received in this national stage application from the		
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) hereto or 2) to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s)		
1. Notice of References Cited (PTO-892)	5. Notice of Informal F	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ⊠ Interview Summary Paper No./Mail Da	te <u>20060925</u> .
3. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 5/12/06; 4/11/05	7. 🛛 Examiner's Amendi	ment/Comment
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. X Examiner's Statement	ent of Reasons for Allowance
	9.	

DETAILED ACTION

Applicant's response to the restriction requirement filed 8/7/2006 has been found to be persuasive, therefore, the restriction requirement mailed 7/6/2006 has been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Sivik on 9/25/06.

The application has been amended as follows:

Cancel claims 44, 48 and 49.

Claim 45 line 1, change "claim 44" to -claim 56--.

Claim 46 line 1, change "claim 44" to -claim 56--.

Claim 50 line 1, change "claim 49" to -claim 56--.

Claim 52 line 1, change "claim 44" to -claim 56--.

Claim 54 line 1, change "claim 534" to claim 53--.

Claim 55 line 1, change "claims 44 or 54" to -claim 54--.

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Claims 41, 42, 43 line 1 change "withdrawn" to -original--.

The following is an examiner's statement of reasons for allowance: none of prior art of record take alone or in combination shows a hair styling device and a method for straightening hair comprising two hingedly attached arms with hair gripping means, a reservoir in fluid communication with a means of delivery of the gripping means which delivers a nonvolative styling action delivered as droplets having a Dv (90) of less than about 30 microns.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robyn Doan whose telephone number is (571) 272-4711. The examiner can normally be reached on Mon-Fri 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cris Rodriguez can be reached on (571) 272-4964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robyn Doan Examiner Art Unit 3732

> John J. Wilson Primary Examiner

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